

U.S. Department of Justice



*United States Attorney
Southern District of New York*

86 Chambers Street
New York, New York 10007

March 19, 2021

BY ECF

Honorable Lewis A. Kaplan
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St.
New York, NY 10007-1312

Re: *MAZON: A Jewish Response to Hunger, et al., v. U.S. Dep't of Health and Human Services, et al.*, 21 Civ. 475 (LAK)

Dear Judge Kaplan:

This Office represents the defendant federal agencies and government officials in their official capacities (together, the “government”) in the above-captioned action under the Administrative Procedure Act. As the government previously proposed, *see* February 26, 2021 Letter, Dkt. No. 59, I write jointly with counsel for plaintiffs to provide a status update and proposal for next steps in this litigation.

Having conferred, the parties respectfully propose the following schedule.

- The government’s time to answer or otherwise respond to the complaint is adjourned without date.
- The case will be stayed until April 23, 2021, when a status report is due. The parties will meet and confer the week of April 19 to discuss whether it is possible to resolve the case without litigation.
- By May 21, 2021, the parties will file another status report. The parties will meet and confer the week of May 17 to discuss whether it is possible to resolve the case without litigation.
- By July 23, 2021, the government will produce a draft administrative record to the plaintiffs. By August 20, 2021, the government will produce the final administrative record. The parties will meet and confer about the contents of the administrative record between July 23 and August 20.
- By September 24, 2021, plaintiffs will file any motion for summary judgment.
- By October 22, 2021, the government will file any cross-motion for summary judgment and any motion to dismiss, supported by a single brief.
- By November 19, 2021, plaintiffs will file, in a single brief, any reply in support of their summary judgment motion, and any opposition to the government’s summary judgment motion or motion to dismiss.

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- By December 10, 2021, the government will file, in a single brief, a reply in support of any summary judgment motion or motion to dismiss it has filed.

If briefing is necessary, the parties intend to confer in advance about any proposed modification of page limits.

If the Court adopts this proposed schedule, the parties do not believe an initial conference is needed, and respectfully propose that the conference be adjourned without date.

We thank the Court for its attention to this matter.

Respectfully submitted,

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